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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,477	12/05/2003	Kwang-Hyun Shim	51876P434	3085

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EXAMINER

PIERCE, DAMON JOSEPH

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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09/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/729,477

Applicant(s)

SHIM ET AL.

Examiner

Damon Pierce

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/5/03 and 10/1/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 12/5/03 and 10/1/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because translation of foreign documents has not been provided. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

The information disclosure statement filed 12/5/03 and 10/1/04 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1, and 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by "A Network Architecture for Multiuser Networked Games on Demand" Pps. 1815-1819 to Bangun et al. (Bangun).

In Reference to Claim 1

Bangun discloses a distance based distributed online game server system (Pg. 1815, First Column, Second Paragraph, "wide area networks", also known as WAN is used for providing online games including their regions, worlds, and characters), the distance based distributed online game server system comprising:

a session server (Fig. 1 on Pg. 1816, Second Column, First Paragraph, "game session" and Pg. 1818, 2nd Col., 2nd Parg., "Front-End Server", authenticates a player's status and game logic including player's region and character information);

a database server (Pg. 1818, 1st Column, 3rd Paragraph, "CPU Server", manages player and character information including player's account information);

a non-player character (NPC) server (Pg. 1818, First Column, Second Paragraph, "Games Data Server ", manages game data including of all characters and images of game including non-player character(s));

a game server (Pg. 1818, First Column, Second Paragraph, "Games Data Server" for providing and managing game service); and

a real-time download server (Pg. 1815, Second Column, 6th paragraph, "real-time visual and audio imagery", indicates that there is a source for providing a real-time downloading service to the player).

In Reference to Claim 3

Bangun discloses the distance based distributed online game server system as recited in claim 1, wherein there is a game server ("Games Data server") is managed by the NPC server ("Games Data server"), the database ("CPU server") server and the session server ("Front-End Server", all servers work together and manage each other to track and provide multiplayer games efficiently).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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5. Claim 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over “A Network Architecture for Multiuser Networked Games on Demand” Pps. 1815-1819 to Bangun et al. (Bangun) in view of Kohan –Immortal Sovereigns User Manual Pps. 4-5, 11, 13-16 (Kohan).

In Reference to Claim 2, Bangun discloses the distance based distributed online game server system as recited in claim 1, where the session server provides the region information (see rejection of claim 1). However, Bangun fails to disclose a server address and a port number of the game server assigned to a player within corresponding region.

Kohan discloses a server address and a port number (Pg. 15 “IP/Port”, which indicates the address of the player). It is knowledge generally available to one of ordinary skill in the art that devices connected in WAN are given IP addresses and Port numbers in order to identity the players in a multiplayer gaming system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine session server of Bangun with the server addresses and port number of Kohan in order to receive and send game data to the proper player location in the network. Actually, IP addresses and port numbers are inherent and required properties when connecting a device over the Internet.

In Reference to Claim 5, Bangun discloses the distance based distributed online game server system as recited in claim 1, wherein a transmission control protocol (TCP) or a reliable user datagram protocol (RUDP) is used in communication between the player for obtaining reliability of the system and an area of interest method is used for reducing system load (TCP/IP is a set of well known protocols in Internet networking).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over "A Network Architecture for Multiuser Networked Games on Demand" Pps. 1815-1819 to Bangun et al. (Bangun).

In Reference to Claim 4, Bangun discloses the distance based distributed online game server system as recited in claim 1, wherein when a region is added ("level data" can be added during any time of the game). However, Bangun fails to disclose an added game server to manage the added region.

Bangun discloses the "games data server" which is capable of managing the added region. Thus, it is unnecessary to add another game server to manage a region when the server currently managing the other regions is well within the power to manage any other added data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to add extra game servers to the game server of Bangun in order to improve the serving power of an online game system.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of "Distributed Systems Support for Networked Games" Pps. 99-104 to Tzi-cker Chiueh (Chiueh).

In Reference to Claim 6, Bangun discloses the distance based distributed online game server system as recited in claim 1 (see rejection of claim 1). However, Bangun fails to disclose wherein movements or changes of characters are predicted by dead-reckoning within a limit of error.

Chiueh discloses dead-reckoning within a limit of error (Pg. 103, 1st Col., 1st Parg.). It is knowledge generally available to one of ordinary skill in the art that the dead reckoning technique is used in video games in order to predict objects movements.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the online game server system of Bangun with the dead reckoning technique of Chiueh in order to reduce network bandwidth usage as taught by Chiueh (Pg. 99 in Abstract).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Poulin (US Pub No. 20030008712); Takahashi et al. (US Pub No. 20020183117); Sen et al. (US Pub. No. 20020119821); Easley et al. (US Pub. No. 20020142842); Dunlap (US Pub. No. 20020068632); James et al. (US Pat. No.

5,964,660); Hora (US Pub. No. 20030045360); Chung et al. (US Pub. No. 20020128065); Yen (US Pat. No. 5,890,963) has been included online gaming server systems are disclosed.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Damon Pierce whose telephone number is 571-270-1997. The examiner can normally be reached on Mon - Friday 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJP


JOHN M. HOTALING, II
PRIMARY EXAMINER